2018 Long-Term Stewardship Conference

The Rocky Flats Legacy Management Agreement and the Consultative Process at the Rocky Flats, Colorado, Site

Scott Surovchak, Site Manager U.S. Department of Energy (DOE)
Office of Legacy Management (LM)

Rocky Flats Regulatory History

- Compliance Agreement (1986)
- Rocky Flats Plant listed on the National Priorities List (1989)
- Interagency Agreement (1991)
- Rocky Flats Cleanup Agreement (RFCA) (1996)
- Rocky Flats cleanup completed (2005)
- Corrective Action Decision (CAD)/ Record of Decision (ROD) signed (2006)
- Rocky Flats Legacy Management Agreement (RFLMA) (2007)





Rocky Flats Cleanup Agreement: Key to Successful Cleanup

- Interagency Agreement
 - Traditional Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)/Resource Conservation and Recovery Act (RCRA) cleanup framework
 - Focused on enforceable milestones (221 milestones over 10 years)
 - High-risk sites competed with lower-risk sites for cleanup resources
 - Unrealistic schedule and cost assumptions
 - Budget cuts impacted milestones
 - Re-negotiation of milestones took focus away from cleanup
 - Documents required approval of both regulators
 - Colorado Department of Public Health and Environment (CDPHE)
 - U.S. Environmental Protection Agency (EPA)
 - Adverse impacts to DOE relationships with regulators and communities

Rocky Flats Cleanup Agreement: Key to Successful Cleanup (continued)

- RFCA
 - Streamlined CERCLA/RCRA cleanup framework
 - Focused on actions, not milestones
 - Highest risks given priority
 - Consultative, accelerated action approach
 - Increased sharing of information between DOE and regulators
 - Accelerated review and approval process



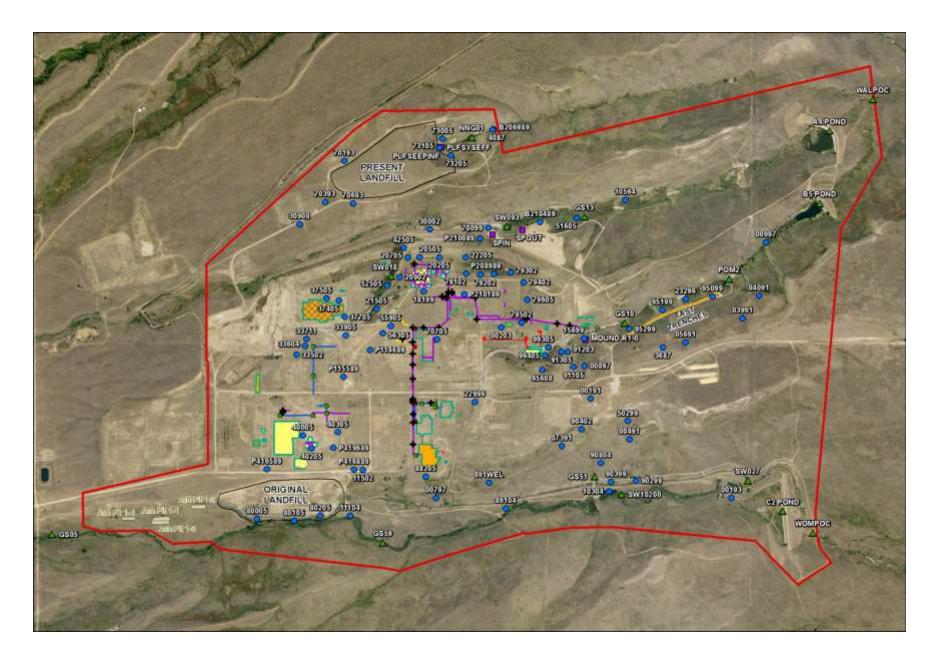






Legacy Management at Rocky Flats

- RFCA was superseded by RFLMA in 2007
 - Agreement between DOE, CDPHE, and EPA
 - Implements the final remedy in the CAD/ROD
 - Institutional controls and physical controls
 - Maintenance and inspection requirements (landfills, groundwater treatment systems)
 - Monitoring requirements (surface water, groundwater)
 - Establishes enforceable remedy performance standards
 - Consultative process is key provision
 - Consensus among three parties
 - Reportable conditions
 - Triggered by monitoring results or conditions
 - May involve additional sampling, evaluation, inspections



2018 LTS Conference

Panel Members

Scott Surovchak DOE

Jeffrey Murl DOE

Carl Spreng
CDPHE
(Retired)

Lindsay Masters
CDPHE

Consultative Process: Example

- Walnut Creek Point of Compliance (WALPOC) Surface water monitoring location on Walnut Creek at the eastern edge of Central Operable Unit
 - Remedy performance standard is based on 12-month rolling average
 - Standard was exceeded for uranium in 2015
 - Reportable condition
 - Consultation among RFLMA Parties
 - Contact record
 - Approved evaluation plan
 - Additional sampling
 - CDPHE split sample
 - High-resolution uranium analyses
 - Posted on LM website and stakeholders notified
 - Reported in annual report



2018 LTS Conference